

REMARKS

The Examiner is thanked for the indication that claims 14 and 35 are allowable if rewritten in independent form.

Claims 1-13, and 15-38 remain pending in the instant application. Claims 1-13, 15-34 and 36-38 presently stand rejected. Claims 1 and 24 are amended herein. Claim 14 is hereby cancelled without prejudice. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1-13, 15-22, and 24-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Xiong et al. (US 6,671,256). The rejections of independent claims 24 and 36 are respectfully traversed.

A claim is anticipated only if each and every element of the claim is found in a single reference. M.P.E.P. § 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the claim.” M.P.E.P. § 2131 (citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226 (Fed. Cir. 1989)).

Independent Claim 1

Amended independent claim 1 has been amended to include the subject matter of claim 14 (now cancelled) deemed allowable by the Examiner. *Office Action* mailed 7/11/07, page 9, section 7. Accordingly, claim 1 now includes allowable subject matter.

Independent Claim 24

Independent claim 24 recites, in pertinent part,

maintaining a **routing tree table** in memory identifying applicable routes to route data between the edge node apparatus when implemented as a source node in an optical switched network and other nodes in the optical switched network;

Applicants respectfully submit that Xiong fails to disclose, teach, or suggest maintaining a **routing tree table** for identifying applicable routes to route data. With respect to dependent claim 4, the Office Action cites col. 4, lines 8-10, lines 20-22, and elements

335, 310 illustrated in FIG. 3 of Xiong as disclosing a routing tree table. However, these portions of Xiong in fact state,

The RIB 335 contains all the necessary routing information for the network. (Xiong, col. 4, lines 9-11)

When using a label-swapping technique like the MPLS, an additional column is added to the FIB 340 which is used to assign a label for each outgoing burst. An example of the FIB 340 is shown in FIG. 4. Note that only relevant information to the current invention is shown in FIG. 4, which is also the case for other figures. The fiber and channel database 310 receives and stores network information from the routing processor 305 and the signaling processor 315. This network information includes (1) the inbound and outbound fibers and the wavelengths within each fiber; (2) the inbound and outbound data channel groups, control channel groups, and channels within each group; (3) the mapping of data channel groups, control channel groups, and channels within each group to the physical fibers and wavelengths; and (4) the status of each inbound/outbound data channel 205. (Xiong, col. 4, lines 18-33)

Accordingly, these sections of Xiong disclose RIB 335 contains routing information, fiber and channel database 310 receives and stores network information, and illustrates an example FIB 340 as table 400. However, Xiong fails to teach or suggest that RIB 335, FIB 340, or fiber and channel database 310 are implemented as routing tree tables. In contrast, by way of example and not limitation, FIGs. 15-17 of the instant application illustrate routing “tree” tables, such as 1500B, 1500C, 1500E, and 1500F. Xiong and Mishra fail to disclose such tree tables.

Consequently, Xiong fail to disclose each and every element of claim 24, as required under M.P.E.P. § 2131. Accordingly, withdrawal of the instant §102 rejection of claim 24 is requested.

Dependent Claims

The dependent claims are novel over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 102 rejections of the dependent claims be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Xiong in view of Sahasrabuddhe et al. (US 2002/0159114 A1).

Claims 36-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Xiong in view of Mishra (US 2002/0186433 A1).

“To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03.

Independent claim 36 recites, in pertinent part,

maintaining a **routing tree table** identifying applicable routes to route data between the edge node apparatus and other nodes in the optical switched network;

Applicants respectfully submit that the combination of Xiong and Mishra fail to disclose, teach, or suggest maintaining a **routing tree table** for identifying applicable routes to route data, as discussed above. Accordingly, Applicants request that the instant §103(a) rejections of independent claim 36 be withdrawn.

The dependent claims are nonobvious over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 103 rejections of the dependent claims be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, it is believed that the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative at (206) 292-8600 if the Examiner believes that an interview might be useful for any reason.

CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP



Cory G. Claassen
Reg. No. 50,296
Phone: (206) 292-8600

Date: Aug. 16, 2007
1279 Oakmead Parkway
Sunnyvale, CA 94085-4040